



Agenda Date: 6/8/09
Agenda Item: VIIA

STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

OAKTREE DENTAL, LLC,)	ORDER ADOPTING INITIAL DECISION
Petitioner)	SETTLEMENT
v.)	
)	
PUBLIC SERVICE ELECTRIC AND GAS)	BPU DOCKET NO. EC08060404U
COMPANY,)	OAL DOCKET NO. PUC 6300-08
Respondent.)	

(SERVICE LIST ATTACHED)

BY THE BOARD:

On June 12, 2008, Oaktree Dental, LLC ("Petitioner") filed a petition with the New Jersey Board of Public Utilities ("Board") requesting a formal hearing related to a billing dispute with Public Service Electric and Gas Company ("Respondent").

After the filing of Respondent's answer, the Board transmitted this matter to the Office of Administrative Law ("OAL") for hearing and initial disposition as a contested case pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. This matter was assigned to Administrative Law Judge ("ALJ") Douglas H. Hurd.

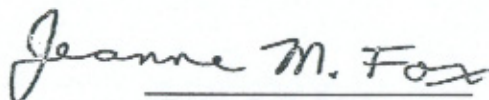
While this matter was pending at the OAL, the parties engaged in negotiations and entered into and signed a Stipulation of Settlement ("Settlement") that was submitted to the ALJ. By Initial Decision issued on April 29, 2009, and submitted to the Board on May 6, 2009, to which the Settlement was attached and made part thereof, ALJ Hurd found that the Settlement was voluntary, that its terms fully disposed of all issues in controversy, and that it satisfied the requirements of N.J.A.C. 1:1-19.1. Pursuant to the terms of the Settlement, Respondent agreed to credit Petitioner's account for electric and gas service in the amount of \$4,565.20, which represents \$3,754.93 for electric and gas service and a late payment charge of \$810.27. Additionally, Petitioner agreed to pay an outstanding overdue balance on the account in the amount of \$725.00 within 60 days and, going forward, to continue to pay bills for electric and gas service in a timely manner.

After review of the Initial Decision and the Agreement of the parties, the Board HEREBY FINDS that, by the terms of the Stipulation of Settlement, the parties have resolved all outstanding contested issues in this matter. Accordingly, the Board HEREBY ADOPTS the Initial Decision and the Stipulation of Settlement executed by the parties in their entirety as if fully set forth herein.

DATED:

6/10/09

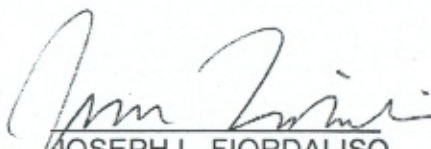
BOARD OF PUBLIC UTILITIES
BY:



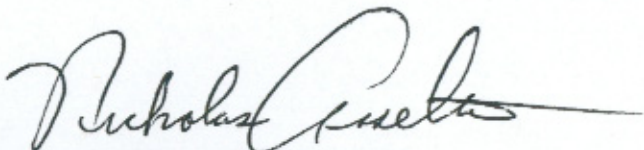
JEANNE M. FOX
PRESIDENT



FREDERICK F. BUTLER
COMMISSIONER



JOSEPH L. FIORDALISO
COMMISSIONER



NICHOLAS ASSELTA
COMMISSIONER



ELIZABETH RANDALL
COMMISSIONER

ATTEST:



KRISTI IZZO
SECRETARY

OAKTREE DENTAL LLC

v.

PUBLIC SERVICE ELECTRIC AND GAS COMPANY

BPU DOCKET NO. EC08060404U

OAL DOCKET NO. PUC 6300-08

SERVICE LIST

Dina G. Pascasio, DMD
Oaktree Dental LLC
2177 Oaktree Road, Suite 101
Edison, New Jersey 08820

Sheree Kelly, Esq.
PSEG Services Corporation
80 Park Plaza – T5G
Newark, New Jersey 07102-4194

Eric Hartsfield, Director
Julie Ford-Williams
Division of Customer Assistance
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

Kerri Kirschbaum, DAG
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101

CMS
BESLOW
RPA
MILLER - HOLLAND
KIRSCHBAUM
FORD - WILLIAMS
(2)



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 6300-08

AGENCY DKT. NO. EC08060404U

RECEIVED
OFFICE OF ADMINISTRATIVE LAW
NEW JERSEY
2009 MAY -5 PM 12:53

OAKTREE DENTAL LLC,

Petitioner,

v.

PUBLIC SERVICE ELECTRIC

AND GAS COMPANY,

Respondent.

Dina G. Pascaiso, DMD, petitioner, pro se

Sheree L. Kelly, Esq., for respondent

Record Closed: April 27, 2009

Decided: April 29, 2009

BEFORE DOUGLAS H. HURD, ALJ:

This matter was transmitted to the Office of Administrative Law on July 28, 2008, for determination as a contested case, pursuant to N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F-1 to -13.

The parties have agreed to a settlement and have prepared a Stipulation of Settlement indicating the terms thereof, which is attached and fully incorporated herein.

I have reviewed the record and the terms of settlement and I **FIND**:

1. The parties have voluntarily agreed to the settlement as evidenced by their signatures or their representatives' signatures.
2. The settlement fully disposes of all issues in controversy and is consistent with the law.

I **CONCLUDE** that this agreement meets the requirements of N.J.A.C. 1:1-19.1 and that the settlement should be approved. I approve the settlement and therefore **ORDER** that the parties comply with the settlement terms and that these proceedings be concluded.

I hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration.

This recommended decision may be adopted, modified or rejected by the **BOARD OF PUBLIC UTILITIES**, which by law is authorized to make a final decision in this matter. If the Board of Public Utilities does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

April 29, 2009

DATE

Date Received at Agency:

5-6-09

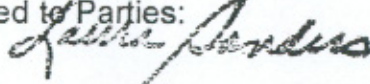
MAY 1 2009

DATE

/jfk


DOUGLAS H. HURD, ALJ


Mailed to Parties:



DIRECTOR AND
CHIEF ADMINISTRATIVE LAW COUNSEL
OFFICE OF ADMINISTRATIVE LAW

Sheree L. Kelly
Assistant Regulatory Counsel

Law Department
80 Park Plaza, T5G, Newark, NJ 07102-4194
tel: 973.430.6468 fax: 973.430.5983
email: sheree.kelly@pseg.com



April 16, 2009

Honorable Douglas H. Hurd
Office of Administrative Law
Quakerbridge Plaza, Bldg. 9
Quakerbridge Road
PO Box 049
Mercerville, NJ 08625-0049

Re: Oaktree Dental LLC v. PSE&G
BPU Docket No. EC08060404U
OAL Docket No. PUC 06300-2008S
Stipulation of Settlement

Dear Judge Hurd:

Enclosed please find a signed Stipulation of Settlement with reference to the above-captioned matter. Accordingly, please cancel the plenary hearing scheduled for April 28, 2009 at 9:00 a.m.

Respectfully submitted,

Sheree L. Kelly

SLK/jb
Enclosure

cc: Oaktree Dental LLC (w/enc.)
Edward B. Sullivan (w/enc.)

STATE OF NEW JERSEY
OFFICE OF ADMINISTRATIVE LAW

APR 27 2 24

Oaktree Dental LLC
Petitioner

v.

Public Service Electric and Gas Company,
Respondent

OAL Docket No. PUCCC 06300-20085
BPU Docket No. EC08060404U

STIPULATION OF SETTLEMENT

This matter having been brought before the Office of Administrative Law by the Petitioner, Oaktree Dental LLC ("Petitioner"), against Respondent Public Service Electric and Gas Company ("PSE&G" or "Respondent") for utility service rendered by PSE&G to the premises 2177 Oaktree Road, Ste. 101, Edison, NJ (the "Property") and the Parties having agreed to settle this matter, hereby set forth the terms and conditions of their settlement agreement as follows:

1. Although not agreeing with the merits of the allegations expressed in the Petition, PSE&G agrees to credit Petitioner's account \$4566.20 representing \$3,754.93 for gas and electric charges plus \$810.27 for late payment charges. *4566.20 (KS)*
2. After application of the bill credit referenced in Paragraph 1, Petitioner acknowledges that there will still be an outstanding overdue balance on the account owed to PSE&G for past electric and gas service rendered by PSE&G in the amount of \$725.00, which customer agrees to pay within sixty (60) days.
3. Going forward, Petitioner agrees to timely pay her PSE&G bill for electric and gas service. *like she always has!!*

Petitioner: Oaktree Dental, LLC

By:

Dina G. Pascasio, DMD
Dina G. Pascasio, DMD

Date:

4/27/09

Respondent: PSE&G

By:

Edward B. Sullivan
Edward B. Sullivan

Manager Customer Operations

Date:

4/27/09

RECEIVED APR 27 2009

FROM PSEG LAW 973-430-5983

(MON) 4.27.09 13:12/ST. 13:11/NO. 4260137419 P 1
80 Park Plaza, Newark, NJ 07102-4194
tel: 973.430.7000

FAX COVER SHEET



DATE: 4/27/09
TO: Judge Douglas Hurd FROM: Sherry L. Kelly, Esq
FAX: (609) 588-6574 FAX: (973) 430-5283
TELEPHONE: (609) 588-6586 TELEPHONE: (973) 430-6468

IF YOU DO NOT RECEIVE 3 PAGES, INCLUDING COVER SHEET, PLEASE
CALL: JUNE BARNETT AT (973) 430-8912

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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

9 Quakerbridge Plaza
P.O. Box 046
Trenton, New Jersey 08625-0046
(609) 586-6584

A copy of the administrative law judge's
decision is enclosed.

This decision was mailed to the
parties on MAY 1 2009.